



United States Senate

NEWS RELEASE

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BILL TO PROTECT IDAHO FARMERS

Will clarify natural process at farms is exempt from CERCLA and EPCRA

WASHINGTON, D.C. – Idaho Senators Larry Craig and Mike Crapo joined their colleague, New Mexico Senator Pete Domenici, in introducing legislation to clarify that naturally-occurring processes in agricultural operations are not subject to regulation through the Emergency Preparedness and Community Right-to-Know Act (EPCRA) and the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). Operations would still be subject to the Clean Water and Clean Air Acts.

Craig said, “Congress thought it was clear when it passed EPCRA and CERCLA that naturally-occurring processes, such as manure decomposition, at agricultural operations were exempt from these laws. However, some special-interest groups intent on shutting down American agriculture seem to disagree and are attempting to use the courts to legislate their desired changes.”

Crapo said, “The underlying problems of Superfund law promote more lawsuits than cleanups, which is made more evident by the efforts by some to use the Superfund law to pursue lawsuits against agriculture operations. Superfund law was never intended to apply to agricultural operations, and this legislation will provide necessary clarity.”

Craig added, “Congress needs to ensure there is no doubt in the minds of judges that these laws focus on industrial waste and storage of hazardous chemicals – not cow manure. Our air and water will remain protected, but opponents of our farmers will need to use legitimate avenues to address their concerns.”

Domenici, Chairman of the Senate Energy and Natural Resources Committee, introduced the legislation. Craig and Crapo are original cosponsors.

For more information, Craig’s September 30, 2004, editorial on this subject is available at <http://craig.senate.gov/releases/ed093004a.htm>.